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E BLAIR EDUCATIONAL BILL IN AID OF COMMON
SCHOOLS AND INDUSTRIAL EDUCATION.

S P E E C H

OF

HON. WILKINSON CALL,
OF FLORIDA,

IN THE

SENATE OF THE UNITED STATES,

26.6
FEBRUARY 23, 1886.

WASHINGTON.
1886.

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**The Blair Educational Bill in Aid of Common Schools and
Industrial Education.**

S P E E C H

OF

HON. WILKINSON CALL.

The Senate having under consideration the bill (S. 194) to aid in the establishment and temporary support of common schools—

Mr. CALL said:

Mr. PRESIDENT: There is nothing that affords a greater contrast than the plain, simple fact when contrasted with declarations of theory and opinion. There have been grave questions made in regard to this bill, and an examination of the merits of the people of the respective States and sections has been largely entered upon. It has been said that the illiteracy in some portions of the country is due to the fault of the people there; that there is abundant ability, taxable sources of revenue to sustain a proper system of public instruction throughout the States where it prevails.

Suppose we leave that subject for one moment and consider that the United States collected from the people of the Southern States, where the greatest need for aid to education exists, between sixty and seventy million dollars without authority of law and paid it into the Treasury of the United States, and that it still remains there, the property of the people from whom it was taken. What is the result and what the obligation of that fact? What matters it what superiority there may or may not be in different portions of this country, if that fact be true, and if there is illiteracy and there is a need of education, what is the constitutional objection, or the moral objection, or the political objection to the payment of that money, unlawfully in the Treasury of the United States and taken from the people of these Southern States? But we have grave constitutional arguments here to show that while that money did get into the Treasury by the operations of the Government, that while it got there by the exercise of the constitutional powers of the Government, although unlawfully exerted, yet there is no constitutional power to pay it out, even for purposes which concern the people of all the States.

I think that fact is a sufficient answer to the Senator from Kansas and to his objections to this bill, that here is a large sum of money taken from the people of the States where illiteracy most prevails, at a time when their industries were disordered, when there was no power to resuscitate all the various sources from which industry derives its support, while there was no power to direct efficiently the labor of the country, and still held by the national Treasury.

But it is not necessary to enter into a discussion of the questions raised by the Senator from Kansas. It is idle to deny the fact that a great war had destroyed the relations of society, the relations of industry; that it had destroyed the values of property, and that those people have not yet recovered from that war. Be the fact what it may in regard to the superior economies of the people of Kansas or any other State it does not touch the question that the result of the great civil war left the Southern people and the Southern States with disordered industry, with landed property which had no convertible value in money, and that its effects still remain; and that no people, either in Kansas or anywhere else in the world, have ever striven with more economy, with more industry, nor appropriated their means with more liberality to the great burden of education that came upon them from these circumstances.

The figures which the Senator from New Hampshire has furnished and has had printed in the RECORD abundantly evidence that fact; they abundantly establish the present needs of the country, the fact that there is an increasing illiteracy throughout the country, the fact that there is a necessity for a greater application of money than can be obtained from the taxable resources of the people of these States, and it is with that question and its consequences that we are called upon to-day to deal.

How do we approach that question? We find the gravest constitutional objections urged against this bill. Senators can find in this simple appropriation of money not so great as the sum belonging to them in the Treasury to be accepted or rejected by the States at their will, to be applied through their own State officers, and with the requirement only of a condition applicable to all appropriations and grants of public money, that it shall be applied to the purpose for which it is intended. They find in this simple fact a grave constitutional objection, that it interferes with the autonomy of the States, that it is destructive of their sovereign power of legislation, that it invades the barrier interposed by the Constitution between State and Federal power, that although money was appropriated to purchase Louisiana and a part of Texas, although the people were taxed to buy Alaska, and although neither of these acts is pretended to be within the specific grants of power, for which alone under the argument of the objectors to this bill, money can be appropriated, yet no power can be found to apply the money realized from taxes in aid of education even with the consent of the States where it is to be expended.

Nothing, I think, will more clearly establish how futile these ideas are than the fact that it has been regarded as a proper subject of State and Federal power that a State might cede its territory to the United States. The State of Texas ceded to the United States for a consideration paid in money enough empire to make two or three States. The power was found in the Constitution for that, and where was it found? Can it be said that the right of a State and the Federal Government to make a compact by which the territory of the State is surrendered to be held at the discretion of the National Government is less dangerous to State autonomy than the power to accept a gift? There is no discretion or limitation either upon the State or upon the Government of the United States. If they may cede their territory by a compact and it be accepted, they may extinguish the State government entirely. If

there is a power for a part there is a power for the whole, and it will not do to construe the Constitution upon any such narrow and impracticable ideas as these.

Time and again the power of a State and the Federal Government to make a compact by which the State ceded her territory to the United States has been recognized and affirmed, and it creates no apprehension and no alarm; but manifestly I reiterate such a power may be so used as to be absolutely destructive of the theory of an indestructible State.

How, then, shall we construe the Constitution? Simply by the proposition that it contains two great principles, the one of national government and national authority and the other of State authority, and that neither can as a matter of power interfere with the other. This construction of the Constitution has prevailed throughout the whole history of this Government. None other is practicable.

We find as the result of this that the public domain of the United States, estimated to be 1,849,000,000 acres, cost for the purchase \$322,049,000, paid by the Government of the United States out of the taxable revenues of the country, paid by taxes imposed upon the people of the United States under the powers of the Constitution.

COST PER ACRE OF THE PUBLIC DOMAIN—PURCHASE AND CESSIONS.

The entire public domain contained (estimated) cessions, 259,171,787 acres; purchases, 1,593,139,200 acres; total, 1,852,310,987 acres; cost, \$88,157,389.98, which is $4\frac{3}{4}$ cents per acre.

Purchases—cost, \$81,957,389.98; contained 1,593,139,200 acres; cost $5\frac{1}{10}$ cents per acre.

Louisiana purchase—cost, \$27,267,621.98; contained 756,961,280 acres; cost $3\frac{3}{4}$ cents per acre.

East and West Florida, from Spain—cost, \$6,489,768; contained 37,931,520 acres; cost $17\frac{1}{10}$ cents per acre.

Mexico, Guadalupe Hidalgo—cost, \$15,000,000; contained 334,443,520 acres; cost $4\frac{1}{2}$ cents per acre.

Texas purchase, 1850—cost \$16,000,000; contained 65,130,880 acres; cost $24\frac{7}{12}$ cents per acre.

Mexico, Gadsden purchase, 1853—cost \$10,000,000; contained 29,142,400 acres; cost $34\frac{3}{10}$ cents per acre.

Alaska from Russia, 1867—cost, \$7,200,000; contained 369,529,600 acres; cost $1\frac{3}{20}$ cents per acre.

State cessions, from Georgia—cost, \$6,200,000; contained 56,689,920 acres; cost $10\frac{1}{11}$ cents per acre.

The United States has disposed of (estimated) 547,754,483.88 acres of public domain, exclusive of Tennessee, and received therefor, net, \$200,702,849.11, or nearly $36\frac{9}{20}$ cents per acre.

The public domain contains (estimated) 1,852,310,987 acres, and cost for purchase, Indians, survey, and disposition, \$322,049,595.96, or about $17\frac{1}{2}$ cents per acre.

We find that vast portions of this money have passed by donation accepted by the States to all of the States, and the distinction that can be drawn between the injury to the States in accepting the proceeds of the sales of the public lands and the public lands themselves and the injury that will result from accepting the money derived directly by taxes manifestly has no foundation either in reason or in the experience of the country. I think that is a satisfactory reply. Three hundred and more million dollars of the taxes on the people of this country have been expended in the purchase of the public domain, and it has been appropriated in this form for educational purposes in every State in the Union, the State of Kansas receiving nearly 3,000,000 acres of this public land, worth at least \$10 per acre, or about \$28,000,000 of this

public money, and all of the States receiving their 5 per cent., as they are to-day receiving it, of the proceeds of the sales of public lands. The State of Kansas receiving in money from this source \$346,318.24.

Statement of the grants to States and reservations to Territories for school purposes.

States and Territories.	Total area.	Dates of grants.
SECTION 16.	Acres.	
Ohio	704,488	March 3, 1803.
Indiana	650,317	April 19, 1816.
Illinois	985,066	April 18, 1818.
Missouri	1,199,139	March 6, 1820.
Alabama	902,774	March 2, 1819.
Mississippi	837,584	March 3, 1803: May 19, 1852; March 3, 1857.
Louisiana	786,044	April 21, 1806; February 15, 1843.
Michigan	1,067,397	June 23, 1836.
Arkansas	886,460	Do.
Florida	908,503	March 3, 1845.
Iowa	905,144	Do.
Wisconsin	958,649	August 6, 1846.
SECTIONS 16 AND 36.		
California	6,719,324	Act March 3, 1853.
Minnesota	2,969,990	February 26, 1857.
Oregon	3,329,706	February 14, 1859.
Kansas	2,801,306	January 29, 1861.
Nevada	3,985,428	March 21, 1864.
Nebraska	2,702,044	April 19, 1864.
Colorado	3,715,555	March 3, 1875.
Washington Territory	2,488,675	March 2, 1853.
New Mexico Territory	4,309,368	September 9, 1850; July 22, 1854.
Utah Territory	3,003,613	September 9, 1850.
Dakota Territory	5,366,451	March 2, 1861.
Montana Territory	5,112,035	February 28, 1861.
Arizona Territory	4,050,347	May 26, 1864.
Idaho Territory	3,068,231	March 3, 1863.
Wyoming Territory	3,480,281	July 25, 1868.
Total	67,893,919	

No grants to Indian and Alaska Territories.

Lands in sixteenth and thirty-sixth sections in Territories not granted, but reserved.

Lands in place and indemnity for deficiencies in sections and townships, under acts of May 20, 1826, and February 26, 1859, included in above statement.

The following statement shows the number of acres granted to the States and reserved in the Territories of Washington, New Mexico, and Utah, for university purposes, by acts of Congress, the dates of which are given in proper column:

Grants and reservations for universities.

States and Territories.	Total area.	Under what acts.
	<i>Acres.</i>	
Ohio	69,120	April 21, 1792; March 3, 1803.
Indiana.....	46,080	April 19, 1816; March 26, 1804.
Illinois	46,080	March 26, 1804; April 18, 1818.
Missouri.....	46,080	February 17, 1818; March 6, 1820.
Alabama.....	46,080	April 20, 1818; March 2, 1819.
Mississippi.....	46,080	March 3, 1803; February 20, 1819.
Louisiana	46,080	April 21, 1806; March 3, 1811; March 3, 1827.
Michigan	46,080	June 23, 1836.
Arkansas	46,080	Do.
Florida.....	92,160	March 3, 1845.
Iowa.....	46,080	Do.
Wisconsin	92,160	August 6, 1846; December 15, 1854.
California.....	46,080	March 3, 1853.
Minnesota	82,640	March 2, 1861; February 26, 1857; July 8, 1870.
Oregon.....	46,080	February 14, 1859; March 2, 1861.
Kansas	46,080	January 29, 1861.
Nevada.....	46,080	July 4, 1866.
Nebraska.....	46,080	April 19, 1864.
Colorado.....	46,080	March 3, 1875.
Washington Territory.....	46,080	July 17, 1854; March 14, 1864.
New Mexico Territory.....	46,080	July 22, 1854.
Utah Territory	46,080	February 21, 1855.
Total.....	1,165,520	

Lands in the Territories not granted, but reserved.

TWO, THREE, AND FIVE PER CENT. FUNDS.

Statement of the amounts which have accrued to the following-named States on account of the 2, 3, and 5 per cent. upon the net proceeds of the sales of public lands to June 30, 1882, inclusive.

States.	2 per cent.	3 per cent.	5 per cent.	Aggregate.
Alabama.....	\$405,178 81	\$607,678 22		\$1,012,857 03
Arkansas.....			\$232,317 03	232,317 03
Colorado.....			9,589 73	9,589 73
Florida			33,162 27	33,162 27
Iowa.....			626,075 16	626,075 16
Illinois		\$712,744 82		\$712,744 82
Indiana.....		618,277 50		618,277 50
Kansas.....			\$346,318 24	346,318 24
Louisiana.....			315,676 36	315,676 36
Michigan			484,645 04	484,645 04
Minnesota			148,854 92	148,854 92
Mississippi.....	\$395,528 64	601,377 86		996,906 50
Missouri.....	15,587 78	535,836 05		551,423 83
Nebraska.....			137,685 79	137,685 79
Nevada			8,319 84	8,319 84
Ohio		596,634 10		596,634 10
Oregon.....			34,911 09	34,911 09
Wisconsin.....			466,670 51	466,670 51
Total.....	816,295 23	3,672,548 55	2,844,225 98	7,333,069 76

Why shall we argue upon these questions and find constitutional difficulties, first toward paying back the money unlawfully collected from the people of the Southern States, and now in the Treasury, for an object common to all for a benefit that will result to every State and to all the people of the United States. Second, why shall we find objections to giving the money in aid of education when we find that the same money invested in the \$300,000,000 of public land has been paid out to an extent twice as great as the whole amount provided to be paid in the bill?

Sir, this bill is but a small proportion of the amount that has been appropriated continuously and without objection with the consent of every State and of the people by the United States to the cause of education. It seems strange to me, with this continuous experience on the part of the Government, renewed Congress after Congress, this appropriation of a sum of money much larger in the aggregate than that now proposed to be expended, that we should still find these urgent constitutional objections to this act so common in the history of the Government and attempt to justify it by a distinction between taxes now to be levied and taxes levied in the past and then invested in public lands and then applied to the purposes of education.

We still apply the 5 per cent. of the proceeds of the sales of the public lands paid in the Treasury every year to this benefit, accepted by the States and received by them. If it is unconstitutional to appropriate money out of the Treasury to the cause of education because it is not provided for in the Constitution, there is not one of the appropriations of the 5 per cent. of the proceeds of the sales of the public lands that is not equally within the constitutional inhibition.

But I do not found my support of the bill upon any question of restitution to the people of the Southern States, or of justice or injustice to this or that section of the Union—not because of the war or the results of the war. To-day, standing as a Senator here, I propose to legislate for the present and the future. The past is irrevocable. To my mind we stand to-day in a new generation and with new surroundings. We have a new world and new economies, and we have but two great guiding stars and principles to control us in the exercise of the powers conferred upon us, and that is the preservation of the National Government and the preservation of the States in their respective spheres of action.

I recognize the power to aid States and the power of the States to aid the National Government as within the sphere of constitutional power, and I ask the Senators who have made their arguments here denying it, I ask those who have quoted from Judge Cooley in regard to the power of the Federal and State Governments, and from Judge Marshall, to the effect that the General Government can not tax for an object of State power and the State government can not tax for an object of Federal power, how is it that they pay year after year the loans made by the different States in aid of the General Government during the late civil war and the money expended by the States for the suppression of Indian hostilities?

These are each powers not enumerated in the specific grants. The States are not charged with the common defense. The Federal Government is charged with the power and duty of defending each State from war and invasion. How, then, can you recognize its power to tax its people for this Federal duty, and appropriate money to pay them for

exercising an unconstitutional and prohibited power? Consent, you say, can not give power or jurisdiction.

How is it, if it be unconstitutional for the National Government to aid the States by an appropriation of money, that from the very beginning of the history of this Government the States have been paid by the National Government the money that they had used and expended and loaned in the suppression of Indian hostilities and later in the civil war in the equipment of troops and the general expenditures for the maintenance of the war?

There is no ground of argument or of reason in the proposition that there is anything in the Federal Constitution that prohibits a State or withholds power from us to aid the States in a lawful and proper way with their consent. The Constitution has prohibited any invasion of their sovereignty, and assuredly it would not be lawful for the General Government to exercise any power which it possessed to the destruction of the proper sovereignty of the States, nor would it be on the part of the States to exercise any authority to the destruction of any of the powers intrusted to the National Government. That is the only distinction which has guided the Government in the exercise of its powers, and the only reasonable one which can guide it.

But I said that we stood now with new surroundings, and what are those? We have no census and no statistical tables which can tell us the number of unemployed people in the United States. We have no means of knowing what the extent of want, what the extent of poverty, what the extent of suffering in this country is; but we know that North and South there is a want of employment for the people of the country; that agriculture alone is open to great masses of people. We find in the statistical reports even of the Commonwealth of Massachusetts, where labor is more equally divided and distributed, where education and industrial education is more general than anywhere else, that by the statistics of Massachusetts, even there, there is a necessity for industrial education; that there is a necessity for education among some classes of the people greater than their system provides. Even there less than 50 per cent. of their people are employed; the remainder have no employment and are not producers.

We are confronted with the proposition that with the labor-saving machinery that has been invented, that with the great corporations and the great increase of corporate power everywhere in the country, there is a necessity for something that will distribute labor, for something that will diversify labor, for something that will enable the whole people of the country to relieve themselves from their present condition of poverty and of want. We find that we are in an age when the communications of the country are so rapid and quick, when by the telegraph the speed of lightning is given to thought and all nations and peoples are placed in direct and immediate communication, the power of combination is associating the laboring people of the world everywhere until they can dictate to the communities and to the sources of employment the terms of their employment.

I regard it as a favorable and an auspicious feature in the economy of this time, but it must be accompanied with education. It is a fearful power which takes the attribute that has hitherto belonged to government and gives it to an associated body of men federated throughout the world the power of directing the actions of large bodies of people.

It is necessary, in my opinion, for the comfort of the laboring people, for their protection against want and suffering; but it must be accompanied with education, it must be accompanied with the power to diversify employment, it must be accompanied with that kind of education which will enable every man to be an independent factor and laborer in the community; and when the law of a relentless competition shall have made one employment unprofitable, when he or she may not be able to obtain employment there, they must be so educated that they can turn their attention to some other employment fitted for them and labor in that.

Therefore, I recognize in the present condition of things a necessity for aid from the General Government wherever a State may be found that is not able to afford education to her people, and I do not regard it with any apprehension that it shall be upon such terms not interfering with the internal autonomy of the State, not interfering with her power to control education, but that it shall be upon such reasonable terms to be accepted by the State as will require that education shall be provided with the means furnished for the purpose by the Government of the United States.

It has been urged that this is a local interest, that this is a necessity for that community and for none other. I do not take such a view of the case. I consider that if there be any State within this Union now or hereafter that from any cause shall be so crippled in its resources that it can not perform for her people the functions which were retained and reserved in her constitution, to aid that State with a gift of the public money would be in the interest and for the benefit of every other State of the United States and for every other people in the United States.

I believe it is just as legitimate and as clearly wise as it was for the States of the Union in the late war to loan their money to equip troops to expend their taxes in the maintenance of the Union, or as it was for the States to have organized troops and suppressed the Indian hostilities, and then to ask the Government of the United States that they should be reimbursed for that money. I can see no difference between the two propositions, except that here it is proposed to give this money and it finds its justification in fact so far as the Southern States are concerned in the fact that the Government holds \$77,000,000 of their money, though I do not need that. I am prepared to vote as a Senator money to aid them wherever it is necessary to maintain the existence of a State government, wherever her people are without the means to maintain that autonomy, and if it be necessary to loan money with her consent, to give money to rehabilitate that State and that people, I shall find no constitutional objections toward doing it.

But we are told that there must be self-reliance in the people, and that it is the want of self-reliance in these great communities of Southern States that has caused this lack of education. The contrast between the State of Kansas and other Western States and the Southern States has no foundation in reason. They were the centers of a large and prosperous emigration. They were the centers to which a population was crowding, with land suitable for the production of cereals ready at once to be converted into profitable agriculture; while the agriculture of the Southern States, with a peculiar population, was one that drove away this vast tide of emigration.

Pour into the Southern States the same emigration and the same peo-

ple and you will find that there is no peculiarity in the soil there, or in the climate there, or in the surroundings there which will prevent the same people upon the soil of the Southern States, under the same circumstances, from producing the same results. But put a few of them there in the midst of a different population, accustomed to other processes of labor, themselves to be educated not only in the habits of free labor and free industry, but in the economies that are necessary, and put them in the midst of a population that have to be taught everything, and you will find as great a difference with the people of Kansas situated as the Southern people are as you will find between them there at this time and those in the free States.

But how is this donation of money going to affect the self-reliance of the people? I venture to affirm that the Southern people have been taxed to the utmost limits of possible payment. The values there are not convertible values. The railroads built there are built with foreign capital, under conditions of exemption from taxation for many years. In a great many if not in all cases every inducement has been held out to capital. The land is not a convertible asset. It is taxed far beyond its convertible value, for that is almost absolutely nothing. The whole amount of taxation is paid out of the labor of the people. It is not paid out of value which can be converted; it is paid out of the annual agricultural labor of the country, which is the sole resource of the people.

If this donation of money shall destroy the self-reliance of the people, how has it been that those 3,000,000 acres nearly of public land donated to the people of Kansas and this 5 per cent. upon the proceeds of the sales of the public lands, equal in value to thirty millions of dollars in the State of Kansas, has not destroyed their self-reliance? I hold in my hand the table of the distribution of the proceeds of the sales of the public lands or the surplus money in the Treasury which has been the foundation of the great systems of education in many of the Western and Northern States.

Why has not that destroyed the self-reliance of the people? Mr. President, there is no foundation for that proposition. Unquestionably, to sustain these people entirely from the national Treasury would be unwise and absurd, but a moderate appropriation to be invested properly in the encouragement of education, in the establishment of schools everywhere, in maintaining teachers for a limited time, could have no permanent effect upon the self-reliance of the people.

There are tasks too great to be accomplished by an impoverished people, and this danger is pressing upon us. A hundred million people will soon be here. They will need employment and they will need education of the head and the hand. They will need that which every despotic government has already undertaken because of the necessity to provide employment for the people. Sir, this is a necessity which will admit of no denial and no delay. Ignorance, the lack of employment, the want of capacity to earn a living will crush a stronger government than any that has ever existed in the world. The associations of labor which are telling everywhere the story of their wrongs and sufferings, the want of employment, the lack of compensation, the stern oppression which they feel, evidences, I think, to every enlightened statesman that there must be some other, some wider, some more efficient education than that now existing; and I can see no impropriety in the National

Government, which has expended the proceeds of the public lands to an extent twice or three times greater than the appropriation asked for here—I can see no objection to Government aid in the midst of this necessity, with the increasing illiteracy in the South unfitting the people for the duties of citizenship or for the employments of life except the single one of an imperfect agriculture, the single one of an agriculture not in accordance with the spirit of the age, with the intelligence of the age confined to one or two staples alone, and with the utter impossibility within this generation of that ignorance being relieved.

Sir, I am in favor of appropriating money to the full extent of \$60,000,000 or \$70,000,000 improperly taken from the Southern States, and now held in the Treasury for this purpose of general education, of industrial education, and I find no difficulty whatever in any of the provisions of the Constitution in giving to it my support.

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